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DECISION



*M. Frost
Proc I*
**THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D.C. 20548**

FILE: B-192501

DATE: August 15, 1978

MATTER OF: Clark's Office Machines, Inc.

DIGEST:

Protest filed with agency and GAO more than 10 days after basis for protest was known (receipt of letter from agency) is untimely under GAO's Bid Protest Procedures and not for consideration.

Clark's Office Machines, Inc. (Clark's), protests the cancellation of General Services Administration solicitation No. GSW-1FWR-80032 for typewriter repair services in the Boston area.

Clark's was notified of the cancellation of the solicitation and the reason therefor by letter dated June 23, 1978, from the contracting officer. The record shows that Clark's knew of the cancellation on June 26 at which time it requested a copy of Standard Form 33A, Solicitation Instructions and Conditions, which was mentioned in the June 23 letter.

We have been advised by the agency that Clark's protested to them (by letter dated July 14, 1978) more than 10 days after the basis for protest was known. Clark's protest was filed with our Office on July 31, 1978.

Our Bid Protest Procedures require that protests be filed, either with the contracting agency or with this Office, "no later than 10 [working] days after the basis for protest is known or should have been known, whichever is earlier." 4 C.F.R. § 20.2(b)(2) (1977). Since the basis of protest was known on June 26, Clark's protest is untimely and not for consideration.

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Accordingly, the protest is dismissed.

Paul G. Dembling
Paul G. Dembling
General Counsel